

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11186
52103Application of: Michael L. Boyer II *et al.*

Application No.: 09/927,334

Group Art Unit: 3738

Filed: August 13, 2001

Examiner: P. Prebilio

For: IMPLANTS FORMED WITH
DEMINERALIZED BONE

Attorney Docket No.: 8932-543

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

FAX RECEIVED

MAY 08 2003

Sir:

GROUP 3700

In response to the Office Communication mailed April 8, 2003 and further to the Office Action mailed January 14, 2003, Applicants have elected the invention of Group I - claims 1-26 and 31-34 drawn to a product, and Species B - plate (Figures 28 and 29) as set forth in claims 8-26 for prosecution in this application. Applicants believe that claims 8-26 are readable on the elected species.

Applicants traverse the restriction requirement. It is Applicants' position that the restriction requirement fails to identify all of the figures applicable to claims 8-26. In particular, at least claim 26 also is readable on the implant of Figs. 19-21. Thus, Applicants believe that Species B also should have identified Figs. 19-21.

Should the Examiner disagree, then Applicants will pursue prosecution of Species B - plate (Figures 28 and 29) as set forth in claims 8-26 at this time.

No fee is believed to be due for this submission. Should any fees be required, however, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Date: May 8, 2003

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with the United States Patent and Trademark Office by facsimile transmission on May 8, 2003 to facsimile telephone number 703-872-9302.

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